

Appl. No. 10/628,892  
Examiner: Tran, Chuc, Art Unit 2821  
In response to the Office Action dated October 5, 2004

Date: January 5, 2005  
Attorney Docket No. 10112541

## REMARKS

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and receipt of the certified copy of the priority document, and for his indication of allowable subject matter in claims 9, 11, 22 and 24. Responsive to the Office Action mailed on October 5, 2004 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

### Present Status of Application

After this amendment, claims 1, 3, 5-11 and 25-28 are pending. Claims 1-8 and 12-21 stand rejected under 35 U.S.C. 102(b) as being anticipated by Desclos et al (U.S. 6,160,512). Claims 10 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Desclos et al.

In this paper, new claims 25-28 are added. Claim 1 is amended to recite that the capacitance (inductance) cylinder loading monopole antenna comprises a monopole linear antenna and a conductive element covering the monopole linear antenna, wherein the conductive element is separated from the ground of the base. Support for this amendment can be found in Fig. 7 of the application. Claim 3 is amended to reflect the cancellation of claim 2. Claims 2, 4 and 12-24 are canceled.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Allowable Subject Matter

Applicant thanks the Examiner for his indication in the Office Action that claims 9, 11, 22 and 24 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

In this paper, new claims 25-28 are added incorporating the limitations of the base claim the intervening claims, and claims 9, 11, 22 and 24, respectively. Namely, new claims 25 and 27 recite that a demodulator is connected to the RF module, new claim 26 recites that the linear antenna comprises a Teflon dielectric disposed between the conductive element and the monopole linear antenna, and new claim 28 recites that the capacitance (inductance) cylinder loading monopole antenna comprises a Teflon dielectric disposed between the conductive element and the monopole linear antenna.

It is Applicant's belief that claims 25-28 are now in condition for allowance.

Rejections Under 102(b)

Claims 1-8 and 12-21 stand rejected under 35 U.S.C. 102(b) as being anticipated by Desclos et al. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

Desclos et al teach a multi-mode antenna. In Desclos et al, a monopole antenna 11 is passed through a hole 17 in backgrounded substrate 14. See Fig. 3 and column 4, lines 6-24 of Desclos et al. Alternately, the multimode antenna:

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... incorporates instead of the simple hole 17 a complete structure made to match with a specific dipole. This structure is based on a ground plane with a part of a tube 19 of a certain diameter  $D_T$  and a height  $H_T$ . The monopole antenna 11 is placed centered in the middle of this tube 17 which is either in metal or in composite metal.

See Fig. 7 and column 4, lines 33-40 of Desclos et al.

Desclos et al do not teach or suggest a complex antenna apparatus comprising, *inter alia*, a base including a ground and a capacitance (inductance) cylinder loading monopole antenna comprising a monopole linear antenna and a conductive element covering the monopole linear antenna, wherein the conductive element is separated from the ground of the base, as recited in claim 1.

MPEP 2131 prescribes that to anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

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"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In the multimode antenna taught in Fig. 7 of Desclos et al, instead of a simple hole 17, a complete structure including a tube 19 based on a ground plane is used. As shown in Fig. 7, the tube 19 is embedded in the material of what, according to Applicant's interpretation of the disclosure, must be the grounding.

In contrast, amended claim 1 recites that the conductive element covering the monopole linear antenna is **separated** from the ground of the base.

It is therefore Applicant's belief that Desclos et al fails to teach or suggest each and every element recited in claim 1. For at least this reason, it is Applicant's belief that claim 1 is allowable over the cited reference. Insofar as claims 3 and 5-11 depend from claim 1, it is Applicant's belief that these claims are also allowable.

#### Rejections Under 35 U.S.C. 103(a)

Claims 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Desclos et al. As noted above, it is Applicant's belief that that claim 10 is allowable by virtue of its dependency from claim 1. For this the reason, the Examiner's arguments in connection with this claim are considered moot and will not be addressed here.

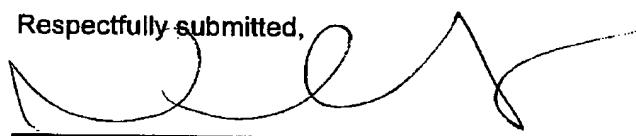
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Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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